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**Measures to eliminate international terrorism**

## Letter dated 27 January 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

I have the honour to attach herewith a statement by the Ministry of Foreign Affairs concerning the recent manoeuvres in Panama, aimed at affecting the current legal process in that country against Luis Posada Carriles and the other terrorists detained since November 2000 for plotting to assassinate the President of the Council of State and Council of Ministers of Cuba in the University of Panama Auditorium, which would also have led to the death of hundreds of Panamanians attending the event.

I should be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 156.

(*Signed*) Orlando **Requeijo Gual**
Ambassador
Chargé d'affaires a.i.

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## Annex to the letter dated 27 January 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations Addressed to the Secretary-General

### Statement from the Ministry of Foreign Affairs

The Ministry of Foreign Affairs has learned with consternation and indignation of recent manoeuvres in Panama aimed at affecting the legal process in that country against Luis Posada Carriles and the other terrorists detained since November 2000 for plotting to assassinate our Commander-in-Chief in the University of Panama Auditorium, an attack which would also have led to the death of hundreds of Panamanians attending the event.

On this occasion, in a repetition of his actions intended to derail the trial, Rogelio Cruz, the lawyer of terrorist Posada Carriles, has challenged Judge Enrique Paniza, who has presided over the case from the outset and who maintained an impartial attitude during the preliminary hearing in September last year to arraign the terrorists for their evident crimes committed in the Republic of Panama.

Rogelio Cruz claims that Judge Paniza broke the law by showing bias against his clients. What bias is Mr. Cruz referring to, when the 46 volumes of the trial proceedings make it increasingly clear that the accused terrorists, some of them using false identity documents, smuggled dozens of kilograms of plastic explosive into the Republic of Panama and planned and attempted to commit an abominable act of terrorism?

What bias is terrorist Posada Carriles' defence lawyer talking about when the defendant's records speak for themselves?

Are these not the same individuals who plunged dozens of Cuban families into mourning with the criminal destruction in flight of a Cubana Aviation passenger plane off the coast of Barbados?

Are they not the very assassins of Cuban diplomat Félix García in New York, Cuban technician Artaignan Díaz Díaz in Mexico, and Crecencio Galañena Hernández and Jesús Cejas Arias, Cuban diplomats assigned to the Cuban Embassy in Argentina, among many other crimes against our people?

Is attorney Rogelio Cruz possibly trying to have declared void an entire legal process in which the Panamanian judicial authorities have made every effort to be just and impartial, staying close to the letter and the spirit of that sister nation's legislation?

These intimidatory circumstances have even resulted in Judge Enrique Paniza requesting to be withdrawn from the case, a request that is being considered by Panama's Supreme Court of Justice.

These manoeuvres by Rogelio Cruz and those supporting him in Panama are favourably regarded by representatives of the Miami terrorist mafia, which has consistently directed and financed the terrorists' defence, in collusion with whom they have acted and are acting, and whose instructions they followed in planning the actions of those currently detained.

This is the same mafia that, from the beginning of the legal proceedings, has sought to obtain the release of the terrorists or help them to escape, as Luis Posada Carriles has already done from a Venezuelan jail and Gaspar Jiménez Escobedo from a Mexican one. Our Government has repeatedly exposed these plans, and our people has been fully informed of the progress of the trial.

Now, the manipulations of lawyer Rogelio Cruz and his Miami masters are hindering the trial on the merits, scheduled by Judge Paniza for 23-25 January 2004, and a new date is being proposed for March. Nevertheless, further actions are anticipated on the part of that corrupt individual and his bosses to ensure that the trial does not conclude before November of this year when, the terrorists having completed four years in remand, Panamanian law allows for a modification of their conditions of detention.

That could mean the terrorists being discharged from jail and, for example, benefiting from a regime of house arrest, an objective pursued from the outset by the Miami mafia and their defence lawyer in order to organize their escape.

These manoeuvres are compounded by information published in the Panamanian press to the effect that the United States Government has been pressuring the Panamanian executive for the release of the four terrorists. In its edition of 2 January 2004, the Panamanian daily *El Siglo* reported in an article headlined "Why did Colin Powell come to Panama?" that "the real motive for the visit by the United States Secretary of State on 3 November for the Centenary of the Republic festivities was to directly communicate to the Panamanian president that President George Bush would like to see the little old terrorist and his buddies imprisoned in that country for an assassination attempt tried in absentia".

If that information is correct, that would mean that the Panamanian Government is being asked to find a way to release the detainees before the trial takes place, in which case the legal proceedings undertaken since November 2000 would become a joke at the expense of the Panamanian judicial authorities, the Cuban people and the Panamanian people.

One might ask whether this issue is one of the objectives of fellow-terrorist Otto Reich's current visit to Panama.

While denouncing this new manoeuvre designed to prevent the Panamanian courts from doing justice, the Ministry of Foreign Affairs likewise condemns the threats and intimidation against key figures in the terrorists' trial, and hopes that the legal authorities and public opinion in Panama will not allow these legal proceedings, which have been conducted with full impartiality and justice, to be wrecked.

The Ministry of Foreign Affairs also trusts that the Government of the Republic of Panama, with whom it maintains diplomatic and cooperative relations in accordance with international standards and practices, will reject any attempt at pressure or coercion involving the release of the terrorists detained in its territory and will allow the free and unhindered working of the Panamanian justice system, which has played such an outstanding role in these proceedings.

Havana, 19 January 2004